

**Public Chapter 392**

**SENATE BILL NO. 901**

**By Dixon, Graves**

Substituted for: House Bill No. 1378

By Towns, Ulysses Jones, Cooper, John DeBerry, Miller, Pleasant, Larry Turner,  
Scroggs, Haley, Hargett, Chumney, Lois DeBerry, Pruitt, Rinks

AN ACT To amend Tennessee Code Annotated, Title 49, Chapter 6, Part 30, relative to  
age of required school attendance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-3001(a) and (b), is amended by deleting the word and figure "six (6)" wherever they appear and substituting the word and figure "five (5)".

SECTION 2. Tennessee Code Annotated, Section 49-6-3001(c)(1), is amended by deleting the word and figure "seven (7)" and substituting the word and figure "six (6)".

SECTION 3. Tennessee Code Annotated, Section 49-6-3005(a), is amended by deleting the word and figure "seven (7)" and substituting the word and figure "six (6)".

SECTION 4. Tennessee Code Annotated, Section 49-6-3007(c), (d) and (g), is amended by deleting the word and figure "seven (7)" and substituting the word and figure "six (6)".

SECTION 5. Tennessee Code Annotated, Section 49-6-3001(c)(2), is amended by redesignating subdivision (c)(2)(C) to be (c)(2)(D), and by adding a new subdivision (c)(2)(C), as follows:

(c) Is age six (6) or younger and whose parent or guardian has filed a notice of intent to conduct a home school with the superintendent of local education agency or with the superintendent of a church-related school;

SECTION 6. Tennessee Code Annotated, Section 49-6-3005(a), is amended by adding the following before the colon:

involving children who are enrolled in a public school and, as to children enrolled in a non-public school, as defined by Section 49-6-3001(c)(3)(A), the superintendent of the school to be the sole judge in all such cases

SECTION 7. Tennessee Code Annotated, Section 49-6-3005(a), is further amended by deleting the word "and" at the end of subdivision (3), by redesignating subdivision (4) to be subdivision (5) and by adding a new subdivision (4), as follows:

Children ages six (6) or under whose parent or guardian have filed a notice of intent to conduct a home school as provided by Section 49-6-3001 or who are conducting a home school as provided by Section 49-6-3050; and

SECTION 8. Tennessee Code Annotated, Section 49-6-3007(g), is amended by adding the following to the beginning of the subpart:

Except as otherwise provided by Section 49-6-3001 or Section 49-6-3005,

SECTION 9. No local education agency shall receive a reduction in local funding from the implementation of this act and the distribution of local funding to multiple local education agencies within one (1) county, shall be adjusted, if necessary, to accomplish this requirement.

SECTION 10. A parent or guardian who believes that their child is not ready to attend school at the designated age of mandatory attendance may make application to the principal of the public school which the child would attend for a one (1) semester or one (1) year deferral in required attendance. Any such deferral shall be reported to the superintendent of the local education agency by the principal.

SECTION 11. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.